

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

MATTHEW JENKINS,

Plaintiff,

ORDER

v.

Civil No.: 05-1247 (MJD/RLE)

DANIEL RADEN, ET AL.,

Defendants.

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceeding herein,

IT IS HEREBY ORDERED THAT:

1. That the Plaintiff's complaint [docket #1] is **DISMISSED**, but without prejudice.

2. That the Plaintiff's motion for leave to proceed In Forma Pauperis [docket # 2] is **DENIED**, as moot.

Dated: November 30, 2005

s/ Michael J. Davis
MICHAEL J. DAVIS, Judge
United States District Court